



Governor  
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY**

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AZ Board of Osteopathic Examiners  
Draft Minutes for Meeting of June 2, 2007  
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**Board Members:**

David M. Steinway, D.O., President  
Stanley J. Grossman, Vice President  
Arlene England, D.O.  
MaryAnn Picardo, D.O.  
Scott Steingard, D.O.  
F. P. Wedel, D.O.

**Executive Director**

Jack Confer

**DRAFT MINUTES OF THE PUBLIC BOARD MEETING  
OF THE ARIZONA BOARD OF OSTEOPATHIC  
EXAMINERS IN MEDICINE AND SURGERY**

**Saturday, June 2, 2007**

**BOARD MEMBERS PRESENT:** President David Steinway, D.O., Vice-President Stanley Grossman, Scott Steingard, D.O., Arlene England, D.O., F.P. Wedel, D.O.

**BOARD MEMBERS ABSENT:** Mary Ann Picardo, D.O. was excused from the meeting

**STAFF / OTHERS PRESENT:** Jack Confer, Executive Director  
Barbara Meyers, Deputy Director  
Barbara Prah, D.O., Medical Consultant  
Beverly Alfson, Business/Licensing Manager  
John O'Hair-Schattenberg, Investigator  
Blair C. Driggs, Assistant Attorney General  
Kathy Fowkes, Administrative Secretary  
Carol Whipple, Court Reporter

**1. CALL TO ORDER**

The Board President, Dr. David Steinway, called the meeting to order at 8:01 a.m.

**2. ROLL CALL AND REVIEW OF AGENDA**

The Executive Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

**3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC**

- A. Welcome to the 3<sup>rd</sup> year Medical Students – Arizona College of Osteopathic Medicine at Midwestern University and Kirksville College of Osteopathic Medicine at A.T. Stills University
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

**4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES**

- A. Open Session Minutes April 28, 2007
- B. Executive Session Minutes April 28, 2007
- C. Open Session Teleconference Minutes May 16, 2007

**MOTION:** Dr. England moved to ACCEPT the minutes as presented. Dr. Steingard seconded.

**VOTE:** The motion passed unanimously.

**5. FORMAL ADMINISTRATIVE HEARING**

The Board went into Executive Session at 8:04 a.m.  
The Board returned to Open Session at 8:06 am

A. Sholom Gootzeit, D.O. Case No. 3874 License No.4441

Dr. Gootzeit was present and placed under oath. Dan Jantzch, Esquire was present as his legal representative. Lewis Goodman, John Porter MD, and Dolores Wiltsie were present on Dr. Gootzeit's behalf. AAG Blair Driggs appeared as an advocate for the State of Arizona, and AAG Christine Cassetta appeared on behalf of the Solicitor General's office representing the Board. Mr. Driggs reviewed the case. Mr. Jantsch addressed the Board. Dr. Gootzeit answered all questions posed by the State.

The Board went to Executive Session at 9:03 am.  
The Board returned to Open Session at 9:10 am

Dr. Gootzeit answered all further questions posed by the Board. Dr. Porter, Mr. Goodman, and Ms. Wiltsie were placed under oath and addressed the Board.

The Board Recessed at 10:20 a.m.  
The Board returned to Open Session at 10:24 a.m.

**FIRST MOTION:** Dr. Wedel motioned that the interim FINDINGS OF FACT be accepted. Dr. Steingard seconded.

**VOTE:** The motion carried unanimously.

**SECOND MOTION:** Dr. Wedel motioned to accept the CONCLUSION OF LAWS as listed in the interim, pages 4 – 5 with corrections, and amend counts to be 9, 15, and 18 due to duplicity. Dr. Steingard seconded.

**VOTE:** The motion carried unanimously.

**THIRD MOTION:** Mr. Grossman moved for **REVOCATION OF LICENSE** with civil penalty of \$500 per count, payable within 60 days of the final day of order. Dr. Wedel seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	5	X	X	X	X	X	
NO	0						
ABSTAIN	0						
ABSENT	1						X

**VOTE:** Motion carried unanimously 5-0.

6. **REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

G. Shenen Dietrich, D.O. Case No. 3693 License No. 3379

Dr. Dietrich was present and placed under oath. Daniel P. Jantsch, Esq. was present as her legal representative. Complainant was also present and placed under oath. The Medical Consultant summarized the case. Complainant addressed the Board. Dr. Dietrich answered all questions posed by the Board.

**MOTION:** Dr. Wedel moved for a **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	5	X	X	X	X	X	
NO	0						
ABSTAIN	0						
ABSENT	1						X

**VOTE:** Motion passed unanimously 5-0.

A.	Gary Giordano, D.O.	Case No. 3699A	License No. 3806
B.	Vanessa Brennan Kwok, D.O.	Case No. 3699D	License No. 3972

The above cases were opened as a result of the same complaint and were regarding the same investigative material. Due to this fact the Board agreed to hear the material pertinent to both cases before making separate decisions for each case. Dr. Giordano and Dr. Kwok were present and placed under oath. Mr. Peugnet was present as the physicians' legal representative. The Medical Consultant summarized the case. Complainants were present and placed under oath. The Complainants addressed the Board at great length and answered all questions posed by the Board. Dr. Kwok and Dr. Giordano answered all questions posed by the Board.

**MOTION:** Mr. Grossman moved for a **LETTER OF CONCERN** to be issued to Dr. Kwok for endangering of patient, substandard record keeping, failure to recognize critical patient status and poor communication with the patient's family. Dr. Steinway requested the motion to be amended to include the added requirement of 20 hours **CONTINUING MEDICAL EDUCATION** in hepatitis and liver disease; Mr. Grossman agreed. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	5	X	X	X	X	X	
NO	0						
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion passed unanimously 5-0.

**MOTION:** Dr. Steingard moved for a **LETTER OF CONCERN** with 20 hours **CONTINUING MEDICAL EDUCATION** in hepatitis and liver disease to be issued to Dr. Giordano for serious concerns of endangering of patient, grossly inadequate notation in medical record, multiple incidences of poor choice of medications given to patient which may have hastened the patient's death, not recognizing the critical nature of the patient's health, and poor communication with the patient's family. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	5	X	X	X	X	X	
NO	0						
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion passed unanimously 5-0.

**C.** Florian Walter, D.O. Case No. 3643 License No. 3971

Dr. Walter was present and placed under oath. The Complainant was also present and placed under oath. The Medical Consultant summarized the case. The complainant addressed the Board and answered all questions posed by the Board. Dr. Walter answered all questions posed by the Board.

**FIRST MOTION:** Dr. England moved for **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	3			X	X	X	
NO	2	X	X				
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion passed 3-2.

The Board Adjourned for lunch at 1:15 p.m.  
The Board returned to Open Session at 2:00 p.m.

**D.** Timothy Pfeiffer, D.O. Case No. 3664 License No. 3394

Dr. Pfeiffer was present and placed under oath. Mr. Meyer was present as his legal representative. The Medical Consultant summarized the case. Dr. Pfeiffer answered all questions posed by the Board. The Executive Director addressed the Board and presented a Consent Agreement for consideration.

**MOTION:** Dr. Wedel motioned to accept consent agreement pursuant to A.R.S. §32-1854 (6) and (38). Seconded by Dr. England.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	3			X	X	X	
NO	2	X	X				
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion passed 3-2.

**E.** Kenneth Young, D.O. Case No. 3634 License No. 2930

Dr. Young was present and placed under oath. Complainant was present and placed under oath. The Investigator summarized the case. Complainant addressed the Board and answered all questions posed by the Board. Dr. Young answered all questions posed by the Board.

**FIRST MOTION:** Moved to continue case and have doctor be prepared to review medical records for charting and exams. Motion was not seconded.

**SECOND MOTION:** Dr. England moved for a **DISMISSAL** regarding release of medical records, and open an investigation regarding record keeping.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4				X		
NO	1	X	X	X		X	
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion failed 1-4.

**THIRD MOTION:** Dr Steinway moved for a **LETTER OF CONCERN** for failure to provide requested records to patient in a timely manner. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X	X		X	
NO	1				X		
ABSTAIN	0						
ABSENT	1						X

**VOTE:** Motion passed 4-1

**FOURTH MOTION:** Motion to open an investigation regarding Dr. Young's charting and exam practices. Seconded by Dr. England.

**VOTE:** Motion carried unanimously 5-0.

**F.** Craig Rundbaken, D.O. Case No. 3652M License No. 3219

Dr. Rundbaken was present and placed under oath. Andrew Rosenweig was present as his legal representative. The Medical Consultant summarized the case. Dr. Rundbaken answered all questions posed by the Board. Mr. Rosenweig addressed the Board.

**MOTION:** Dr. Wedel moved for a **LETTER OF CONCERN** for failure to evaluate for and diagnose condition. Seconded by Dr. England.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	5	X	X	X	X	X	
NO	0						
ABSTAIN	0						
ABSENT	1						X

**VOTE:** The motion passed 5-0.

H. Kumar Daulat, D.O. Case No. 3660 License No. 2635

Dr. Daulat was present and placed under oath. Mr. Bohm was present as his legal representative. The Investigator summarized the case. Dr. Daulat answered all questions posed by the Board.

**MOTION:** Dr. Steingard moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	3	X			X	X	
NO	1		X				
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed 3 - 1.

I. Harry Gale, D.O. Case No. 3746 License No. 2772

Dr. Gale was present and placed under oath. The Medical Consultant summarized the case. Dr. Gale answered all questions posed by the Board.

**MOTION:** Dr. England moved for **DISMISSAL**. Seconded by Mr. Grossman.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

J. Robin MacDougall, D.O. Case No. 3755 License No. 2830

Dr. MacDougall was present and placed under oath. The Medical Consultant summarized the case. Complainant was present and placed under oath. Dr. MacDougall answered all questions posed by the Board.

**FIRST MOTION:** Dr. Steingard moved for **DISMISSAL** Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	2				X	X	
NO	2	X	X				
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** motion tied 2-2.

**SECOND MOTION:** Dr. Steingard moved for **DISMISSAL** with 10 hours of **CONTINUING MEDICAL EDUCATION** in the area of Pain Management. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	3	X			X	X	
NO	1		X				
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 3-1.

Dr. Steinway spoke to and dismissed the Medical Students at 4:25 pm.

**7. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

**A.** Dennis Parker, D.O. Case No. 3840 License No. 0819

Dr. Parker was represented by Robert Bohm, Esq and Jeff Ross, Esq. The Deputy Director and Executive Director summarized the case. Mr. Bohm addressed the Board, and answered all questions posed by the Board. Mr. Ross then addressed the Board.

4:30 pm: Dr. Steinway called a 10 minute recess.

4:40 pm: The meeting was called to order.

**FIRST MOTION:** Dr. England moved for a **SUMMARY SUSPENSION**. Seconded by Mr. Grossman.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	3	X	X		X		
NO	1					X	
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** Motion passed 3-1.

**SECOND MOTION:** Dr. England motioned for the Office of Administrative Hearing be used in this case. Seconded by Dr. Steinway.

**VOTE:** Motion passed unanimously 4-0.

**8. REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

**K.** Lloyd Arnold, D.O. Case No. 3817 License No. 0641

Dr. Arnold was present and was placed under oath. The Investigator summarized the case. Dr. Arnold answered all questions posed by the Board.

**MOTION:** Dr. Steinway moved for a **LETTER OF CONCERN** due to poor record keeping and A.R.S. §32-1854 (6), and future random chart review by Staff. Mr. Grossman seconded the motion.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**L.** POSTPONED

**9. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.**

**A.** Stanley Asbury, D.O.

Dr. Asbury was present and placed under oath. Robert D. Bohm, Esq., was present as Dr. Asbury's legal representative. Dr. Asbury requested that his application be withdrawn.

**10. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

**B.** Richard Settles, D.O. Case No. 3673 License No. 2686

**MOTION:** Dr. Steinway motioned for **DISMISSAL**.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

C. F. Timm McCarty, D.O. Case No. 3690 License No. 0855

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING. Seconded by Dr. Steingard.

**VOTE:** The motion passed unanimously 4-0.

D. John Hortareas, D.O. Case No. 3763 License No. 3253

**MOTION:** Mr. Grossman moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

E. Richard Rosengard, D.O. Case No. 3777 License No. 2056

**MOTION:** Mr. Grossman motioned for INVESTIGATIVE HEARING. Dr. Steingard seconded.

**VOTE:** The motion passed unanimously 4-0.

F. Johnny Serrano, D.O. Case No. 3780A License No. 3865

**MOTION:** Mr. Grossman moved for a **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						

ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**G.** Elliot Maness, D.O. Case No. 3780B License No. 3609

**MOTION:** Mr. Grossman moved for a **DISMISSAL**. Dr. Steingard seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**H.** Richard Mickle, D.O. Case No. 3802 License No. 2767

**MOTION:** Mr. Grossman moved for **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**I.** Craig Mechelke, D.O. Case No. 3825 License No. 1673

**MOTION:** Dr. Steingard moved for a **DISMISSAL**. Dr. England seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**J.** E. Griffin Cipolla, D.O. Case No. 3835 License No. 2811

**MOTION:** Dr. Steingard moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously 4-0.

**K.** Michelle (DeWolf) Allen, D.O. Case No. 3845M License No. 3693

**MOTION:** Dr. Steingard moved for a **LETTER OF CONCERN**, and to send this case to the Nursing Board. Seconded by Dr. England.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**L.** Keenan Wanamaker, D.O. Case No. 3677M License No. 3721

**MOTION:** Dr. England moved for a **LETTER OF CONCERN** with 20 hours **CONTINUING MEDICAL EDUCATION** in the area of pancreatitis. Dr. Steinway seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

**M.** Leo Odle, D.O. Case No. 3651M A License No. 3357

**MOTION:** Dr. Steingard moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously 4-0.

**N.** Randy Hancock, D.O. Case No. 3651M B License No. 3297

**MOTION:** Dr. Steingard moved for a **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

- O.** Philip Bain, D.O. Case No. 3691 License No. 2302

Dr. Bain was present and addressed the Board.

**MOTION:** Dr. Steinway moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion carried 3-1.

- P.** Paul Geimer, D.O. Case No. 3759 License No. 1509

**MOTION:** Dr. England moved for a **DISMISSAL**. Mr. Grossman seconded.

	Vote	Dr. Steinway	Mr. Grossman	Dr. Wedel	Dr. England	Dr. Steingard	Dr. Picardo
YES	4	X	X		X	X	
NO	0						
ABSTAIN	0						
ABSENT	2			X			X

**VOTE:** The motion passed unanimously 4-0.

- Q.** Douglas Bobb, D.O. Case No. 3782M License No. 1990

**MOTION:** Dr. Steingard moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously 4-0.

- R.** Erol LeBlanc, D.O. Case No. 3834 License No. 3452

Dr. LeBlanc was present and addressed the Board.

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING. Dr. England seconded.

**VOTE:** The motion passed unanimously 4-0.

- S.** Richard Bruce, D.O. Case No. 3836 License No. 1087

Complainant was present and addressed the Board.

**MOTION:** Dr. Steingard moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously 4-0.

T. Kenneth Clayton, D.O. Case No. 3842 License No. 3839

**MOTION:** Mr. Grossman moved for an INVESTIGATIVE HEARING.  
Dr. Steingard seconded.

**VOTE:** The motion passed unanimously 4-0.

U. Charles Brooker, D.O. Case No. 3864 Permit No. R928

The Deputy Director summarized the case. Dr. Brooker was present and answered all questions posed by the Board.

**MOTION:** Dr. Steinway moved for an INVESTIGATIVE HEARING. Mr. Grossman seconded.

**VOTE:** The motion passed unanimously 4-0.

#### ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Dated this 2<sup>nd</sup> day of February, 2008

  
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Jack Confer, Executive Director